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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,342	11/26/2003	Tetsuya Sano	Q78531	9991
23373 7590 04/25/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER RUDOLPH, VINCENT M				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/721,342

Applicant(s)

SANO, TETSUYA

Examiner

Vincent Rudolph

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Declaration of Prior Invention Under 37 C.F.R. 1.131

The Declaration of Prior Invention filed on 1/22/2008 under 37 CFR 1.131 is sufficient to overcome the Nagata reference.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Shima (Pub # 20020036665).

Regarding claim 1, Shima (Pub # 20020036665) discloses an imposition apparatus (printer host, **See Figure 1, Element 10**) that includes a paper image creating section (user interface, **See Figure 1, Element 58**) that creates a paper image in a manner that an imposition for a page frame is applied onto the paper (it accepts data representing marginless printing to be applied, **See Page 4, Paragraph 0048**), and a page that includes an image is disposed in the page frame on a layout in which an imaginary page frame including the page frame is setup so that the whole image in the page is disposed (when marginless printing is specified, a user is able to set the minimum printing region for the outputting page, **See Page 5, Paragraph 0059**), an

output processing section (printer driver, **See Figure 1, Element 55**) that causes an image output machine (printer, **See Figure 1, Element 30**) for outputting an image on the paper by applying the paper image created in the paper image creating section (**See Page 5-6, Paragraph 0061**), and a processing interruption section that interrupts a series of processing of creating the paper image as well as outputting it whenever the page disposed on the layout juts out of the imaginary page frame (if the marginless printing mode is not accepted then ordinary printing area is set for outputting the data, **See Page 7, Paragraph 0079**, based on the printing region information received, **See Page 7, Paragraph 0078**).

Regarding claim 2, Shima (Pub # 20020036665) discloses that the imaginary page frame includes a predetermined width of margin surrounding a periphery of the page frame (**See Figure 9**).

Regarding claim 3, Shima (Pub # 20020036665) discloses an imposition apparatus (printer host, **See Figure 1, Element 10**) in which a page that includes an image is disposed in the page frame on a layout in which an imposition for at least one page frame is applied onto a paper (when marginless printing is specified, a user is able to set the minimum printing region for the outputting page, **See Page 5, Paragraph 0059**). This includes a page size adjusting section that performs a size adjustment to coincide the page disposed on the layout with an imaginary page frame that is larger than the one in the layout (user is able to change the width for the image onto a page frame, **See Figure 9; Page 5, Paragraph 0055**), and a paper image creating section (user interface, **See Figure 1, Element 58**) that creates a paper image in such a

manner that the page adjusted in size is disposed in the page frame on the layout so that the whole image in the page is disposed (the adjusted sizes from the image are checked to make sure they agree with the printer recommended widths, **See Page 5, Paragraph 0056-0057**).

Regarding claims 4-6, the rationale provided in the rejection of claims 1-3 is incorporated herein. In addition, the apparatus of claim 2 corresponds to the apparatus of claim 4 as well as the apparatus of claims 1 and 3 corresponds to the program (stored in RAM, **See Figure 1, Element 22**) of claim 5 and the apparatus of claim 6 and performs the steps disclosed herein.

Regarding claim 7, Shima (Pub # 20020036665) discloses that the page is within boundary of the imaginary page frame (**See Figure 9**).

Regarding claim 8, Shima (Pub # 20020036665) discloses that the page size is adjusted to be within the boundary of the imaginary page frame (minimum printing region, **See Figure 9**).

Regarding claim 9, Shima (Pub # 20020036665) discloses that the page is outside boundary of the page frame (the non-printing region, **See Page 5, Paragraph 0060**).

Regarding claim 10, Shima (Pub # 20020036665) discloses that the page size is adjusted to be outside the boundary of the page frame (the adjusted non-printing amount region, **See Figure 10; Page 5, Paragraph 0060**).

Response to Arguments

Based on the Declaration of Prior Invention under 37 CFR 1.131, it is sufficient to overcome the Nagata reference. Thus, the prior art of Shima is used and does meet the claimed limitations as disclosed within the rejection above.

Based on these facts, **THIS ACTION IS MADE NON-FINAL.**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2625

Vincent Rudolph
Examiner
Art Unit 2625

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Acting Examiner of Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625